



**IT IS ORDERED as set forth below:**

**Date: February 9, 2021**

**Sage M. Sigler  
U.S. Bankruptcy Court Judge**

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

IN RE:	)	CHAPTER 7
	)	
WONDALYN SHANTE BAILEY,	)	CASE NO. 20-62468-SMS
	)	
Debtor.	)	
-----	)	-----
S. GREGORY HAYS, Chapter 7 Trustee	)	
For the Estate of Wondalyn Shante Bailey,	)	
	)	
Movant,	)	
v.	)	CONTESTED MATTER
	)	
CARRINGTON MORTGAGE SERVICES, LLC,	)	
THE FAIRWAY'S AT COTTONFIELDS	)	
HOMEOWNERS ASSOCIATION, INC.,	)	
HENRY COUNTY TAX COMMISSIONER,	)	
WONDALYN SHANTE BAILEY,	)	
	)	
Respondents.	)	

**ORDER GRANTING TRUSTEE'S MOTION FOR AUTHORITY TO  
(A) SELL PROPERTY OF THE BANKRUPTCY ESTATE FREE AND CLEAR OF ALL  
LIENS, INTERESTS, AND ENCUMBRANCES AND (B) DISBURSE CERTAIN  
PROCEEDS AT CLOSING**

On January 13, 2021, S. Gregory Hays, as Chapter 7 Trustee (“**Trustee**”) for the bankruptcy estate (the “**Bankruptcy Estate**”) of Wondalyn Shante Bailey (“**Debtor**”), filed *Trustee’s Motion for Authority to (A) Sell of Property of the Bankruptcy Estate Free and Clear of Liens, Interests, and Encumbrances and (B) Disbursement of Certain Proceeds at Closing* [Doc. No. 29] (the “**Sale Motion**”), seeking, among other things, an order from the Court authorizing the sale (the “**Sale**”) of that certain improved real property commonly known as 233 Long Drive, McDonough, Henry County, Georgia 30253 (the “**Property**”) pursuant to 11 U.S.C. §§ 363(b), (f), and (m), and Fed. R. Bankr. P. 2002(a)(2), 6004(a), 6004(c), and 9014, to W. Y. International LLC (the “**Purchaser**”) in accordance with the terms of a *Purchase and Sale Agreement* (the “**Contract**”) attached to the Sale Motion as Exhibit “A.”

Also on January 13, 2021, Trustee filed *Notice of Hearing* [Doc. No. 31] (the “**Notice**”) setting the Sale Motion for hearing on February 10, 2021 (the “**Hearing**”).

Counsel for Trustee asserts that he served the Notice on all requisite parties in interest. *See* [Doc. No. 31].

No creditor or party in interest filed an objection to the relief requested in the Sale Motion or appeared at the Hearing to oppose the relief requested in the Sale Motion. Debtor did appear at the Hearing but voiced no opposition to the relief requested in the Sale Motion.

Having considered the Sale Motion and all other matters of record, including the lack of objection by any creditor or party in interest to the relief requested in the Sale Motion, and for good cause shown, it is hereby Motion, it is hereby

**ORDERED** that the Sale Motion is **GRANTED**. It is further

**ORDERED** that Trustee is authorized and directed to take any and all actions necessary

or appropriate to (i) consummate the Sale of the Property to Purchaser; (ii) execute, perform, consummate, implement, and close fully the Sale together with all additional instruments and documents that may be reasonably necessary; and (iii) execute and perform all of the obligations of Trustee under the Sale Agreement. It is further

**ORDERED** that this Order shall be binding upon all creditors (whether known or unknown) of Debtor, Purchaser, Trustee, the Bankruptcy Estate, and their respective successors, assigns, affiliates, and subsidiaries. It is further

**ORDERED** that upon consummation of the closing of the Sale, the Property shall be transferred and assigned to Purchaser free and clear of all liens, claims, interests, and encumbrances with all unpaid, valid, and enforceable liens, claims, interests, or encumbrances attaching to the sale proceeds with the same extent, validity, and priority that they held in the Property. It is further

**ORDERED** that the Sale of the Property to the Purchaser is “as is,” “where is,” and without representation or warranty, express or implied, from Trustee. It is further

**ORDERED** that the transactions contemplated by the Sale Agreement and this Order are undertaken by the Purchaser in good faith, as that term is used in Section 363(m) of the Bankruptcy Code, and accordingly, the reversal or modification on appeal of the authorization provided herein to consummate the Sale of the Property shall not affect the validity of the Sale to the Purchaser, unless such authorization is duly stayed pending such appeal. The Purchaser is a purchaser in good faith of the Property, and he is entitled to all the protections afforded by Section 363(m) of the Bankruptcy Code. It is further

**ORDERED** that, under Fed. R. Bankr. P. 6004(h), this Order shall be effective and enforceable immediately upon entry, and its provisions shall be self-executing. In the absence of

any person or entity obtaining a stay pending appeal, Trustee and Purchaser are free to close the Sale of the Property at any time, at which time the gross sales proceeds shall be paid to Trustee pursuant to this Order, and those disbursements requested by the Trustee in the Sale Motion are authorized to be made, including but not limited to, payment to Debtor for her homestead exemption in the amount of \$21,500.00 (the “**Homestead Exemption**”), care of her attorney Eric Thorstenberg. Alternatively, Debtor may attend the closing and receive her Homestead Exemption after providing proper identification. It is further

**ORDERED** that this Court retains exclusive jurisdiction over any action relating to, based upon, or arising from disputes or controversies relating to or concerning the Sale, the Sale Agreement, or this Order.

**[END OF DOCUMENT]**

Order prepared and presented by:

ARNALL GOLDEN GREGORY LLP  
*Attorneys for Chapter 7 Trustee*

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**Identification of parties to be served:**

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Bruce Rose, CEO, Carrington Mortgage Services, Inc., 1600 South Douglass Road, Suite 110 & 200-A, Anaheim, CA 92806

Michael C. Harris, Henry County Tax Commissioner, 140 Henry Parkway, McDonough, GA 30253

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